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gwo/29-03

PATENT  
96794DIV3

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 3729

Examiner: S. Smith

In re application of:

Gamel et al.

Serial No.: 09/466,545 ✓

Filed: December 17, 1999

COMPONENT ALIGNMENT  
METHODS

#18 / Response

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JAN 28 2003

Group 3700

**RESPONSE TO OFFICE COMMUNICATION AND REQUEST FOR  
COMPLETENESS WITH AUTHORIZATION FOR EXTENSION OF TIME FEE**

Pittsburgh, Pennsylvania 15222-2312  
March 7, 2002

Commissioner for Patents  
Washington, DC 20231

Sir:

Responsive to the Office Communication dated February 26, 2002 (the "Office Communication") issued in connection with the above-identified application ("subject application") Applicant submits the following remarks.

**REMARKS**

**1. Prior response was fully responsive**

The Office Communication asserts that Applicant's response filed November 11, 2001 ("Applicant's prior response") was not fully responsive to the prior Office Action dated October 3, 2001 ("the prior Office Action"). Specifically, the Office Communication asserts that the Applicant failed to respond to the Examiner's contentions regarding the §112, second paragraph

PI-820456 v1

P. 07

Jan 28 2003 12:19

KIRKPATRICK & LOCKHART Fax: 412-355-6501

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in paragraph 5 of the prior Office Action, and regarding the §102(e) rejections in paragraph 7 and §102/103 rejections in paragraph 9 of the prior Office Action.

Applicant respectfully submits that Applicant's prior response was fully responsive to the prior Office Action. In the Detailed Action section of the prior Office Action the Examiner provided only a provisional double patenting rejection of claims 1,3,5,7-9,44-54, 61-70, 74-83 of the subject application over copending Application Serial No. 09/466,483. The Examiner also copied and pasted a detailed action section ("old detailed action") from an office action dated July 17, 2001 and issued for the copending application No. 09/466,483. Applicant reasonably interpreted the prior Office Action to contain only the provisional double patenting rejections and was led to believe as much by the Examiner in a telephone communication initiated by the undersigned attorney shortly after the prior Office Action was received. Nevertheless, Applicant believes that if there was any applicability of the rejections of the old detailed action to the subject application, Applicant has addressed such rejections, as best understood, by canceling claims 1, 8, 44-53, 61, 65-70 and 74-82 of the subject application in Applicant's prior response making the rejections recited in paragraphs 5, 7 and 9 of the prior Office Action irrelevant. Applicant further submits that if the prior office action is interpreted to contain other than provisional double patenting rejections, then the Examiner's prior Office Action was not complete under 37 CFR 1.104(b) because it failed to provide a correspondence between the claims of the two applications. Similarly, the Office Communication is incomplete, because it fails to provide which claims of the subject application are rejected under paragraphs 5, 7 and 9 of the prior Office Action, which refers to the claims of the copending application.

### 3. Request for completeness

Applicant respectfully submits that Applicant's prior response was fully responsive. If the PTO determines otherwise, Applicant requests that the Examiner identifies which claims of the subject application are rejected under each of the paragraphs of old detailed action which was pasted on the prior Office Action and which refers to claims of the copending application.

### 4. Extension of time

Applicant submits that no petition of extension of time and fee is required, because Applicant's prior response was fully responsive under the circumstances. If, however, the PTO

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determines that an extension fee is due, the PTO is hereby authorized to charge Deposit Account 11-1110 for those fees and deem such authorization as a petition for extension of time.

5. **Conclusion**

Applicant submits that all of the pending claims are in condition for allowance. Accordingly, reconsideration and passage to allowance of the subject application at an early date are earnestly solicited. If the undersigned can be of assistance in advancing the subject application to allowance, the Examiner may contact the undersigned at the telephone number set forth below.

Respectfully submitted,



Maria Comninou  
Registration No. 44,626  
Attorney for Applicant

Kirkpatrick & Lockhart LLP  
Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, PA 15222  
Telephone: (412) 355-6583  
Fax: (412) 355-6501



**Kirkpatrick & Lockhart LLP**

Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, PA 15222-2312  
412.355.6500  
Fax: 412.355.6501  
Fax: 412.355.6461

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**Date • January 28, 2003**

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Customer Serv. Rep. Trudy Mitchell TC 3700	U.S. Patent & Trademark Office Group Art Unit 3729	703 306-5648	703 872-9301

**From • Maria Comninou, Esq.  
Secretary •**

**Phone • 412-355-6583  
Phone • 412 355-8688**

**COMMENTS:** Copy of response to office communication filed 03/07/2002 RE: U.S. Patent Application Serial No. 09/466,545 Attorney Docket 96794DIV3.

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**Group 3700**

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**PATENT  
96794DIV3**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Group Art Unit: 3729

Examiner: S. Smith

In re application of:

Gamel et al.

Serial No.:09/466,545

Filed: December 17, 1999

**COMPONENT ALIGNMENT  
METHODS**

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**JAN 28 2003**

**Group 3700**

**COOMUNICATION WITH COPY OF THE RESPONSE FILED ON 03/07/2002 AND  
PROOF OF MAILING**

Pittsburgh, Pennsylvania 15222-2312  
January 28, 2003

Commissioner for Patents  
Washington, DC 20231  
Attn: Trudy Mitchell

Sir:

In response to a telephone communication with Customer Service Representative Trudy Mitchell, it was discovered that the Response filed by Applicant on March 7, 2002 for the above-referenced patent application was misplaced by the US PTO. At the request of Customer Service Representative Mitchell, a copy of the response filed March 7, 2002, proof of mailing and proof of receipt by the PTO are attached.

**Certification of Facsimile Transmission**

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Type or print name of person signing certification

Maria Comninou

Signature M Kom Date 1/28/2003

PI-959429 v1

Expedited review of the Response and examination of the subject application is respectfully requested.

Respectfully submitted,



---

Maria Comninou  
Registration No. 44,626  
Attorney for Applicant

Kirkpatrick & Lockhart LLP  
Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, PA 15222  
Telephone: (412) 355-6583  
Fax: (412) 355-6501

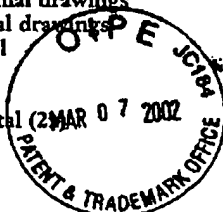
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Part 2 # 18

S.N. 09/466,545 ✓ Docket No. 96794D1V3  
 Title: Component Alignment  
Methods

The PTO acknowledges, and has stamped hereon,  
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- [ ] New Pat. Appl. Tran.  
 (Utility, Design, CPA, RCE, PROV.)
- [ ] Fee Transmittal (2x)
- [ ] Transmittal Letter
- [ ] PCT Request and fee calc. sheet
- [ ] PCT Chapter 2 Demand
- [ ] Specification
- [ ] \_\_\_\_\_ sheets of informal drawings
- [ ] \_\_\_\_\_ sheets of formal drawings
- [ ] Maint. Fee Transmittal
- [ ] Oath/App. of Agent
- [ ] Assignment
- [ ] Amendment Transmittal (2MAR 07 2002)
- [ ] Amendment
- [ ] 3.73 Statement
- [ ] Terminal Disclaimer
- [ ] Declaration(s)
- [ ] Information Disclosure Statement
- [ ] Form PTO 1449
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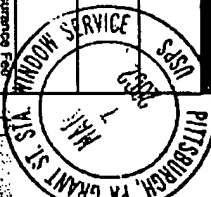
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gamel et al.

Serial No: 09/466,545

Group No.: 3700

Filed: December 17, 1999

Examiner: S. Smith

For: COMPONENT ALIGNMENT METHODS

Commissioner for Patents  
Washington, DC 20231

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